

FEDERAL COMMUNICATIONS COMMISSION  
Washington, D. C. 20554

FILE

OFFICE OF  
MANAGING DIRECTOR

March 22, 2005

Margaret C. Perkins  
General Manager  
First Natchez Radio Group  
Post Office Box 768  
Natchez, MS 39121

Re: Request to Waive and Refund Late  
Payment Penalty  
Fee Control No. 00000RROG-05-008

Dear Ms Perkins:

This is in response to your request on behalf of First Natchez Radio Group (First Natchez) for waiver and refund of the late payment penalties associated with the fiscal year (FY) 2004 regulatory fees for stations WQNZ-FM, WKSO-FM, WANT-AM, and KTGTV-FM). Our records reflect that on September 13, 2004, subsequent to the August 19, 2004 payment deadline, we received a \$4,718.75 payment from First Natchez for FY 2004 regulatory fees and late payment penalties for your four stations.

In support of your request, you explain that First Natchez received notification cards regarding its regulatory fees but that the cards were filed away by your former business manager, who departed your company abruptly without notice. You state that the cards were later found by your new business manager, and that as soon as you became aware of the fees due, you called the FCC and filed your payment on line. You request that, in light of these circumstances, the penalties be refunded.

In FY 2003, the Commission determined that it would use its website rather than surface mail to disseminate regulatory fee public notices to inform its regulatees when regulatory fees were due. See Assessment and Collection of Regulatory Fees for Fiscal Year 2003, Report and Order, 18 FCC Rcd 15, 985 (2003) (2003 Report and Order) ¶¶ 17-19. In FY 2004, the Commission determined again that it would continue to provide all the necessary regulatory fee payment procedure information on its website and no longer would disseminate public notices through surface mail. Assessment and Collection of Regulatory Fees for Fiscal Year 2004, Report and Order, 19 FCC Rcd 11,662 (2004) (FY 2004 Fee Order) ¶¶ 33-34. As such, the Commission took great care to inform its licensees of the due dates, amounts of the fees, and payment methods on its web site, www.fcc.gov, for its FY 2004 regulatory fees. Specifically, the Commission timely released and posted several Public Notices and news releases on its web site that informed licensees of the August 19, 2004 deadline; see FY 2004 Fee Order; Public Notice, FY 2004 Regulatory Fees Due No Later Than August 19, 2004, (July 2, 2004);

FCC News, *Official FY 2004 Regulatory Fee Payment Window Opens Tomorrow – Fees Due No Later than August 19* (Aug. 9, 2004)(reminding of deadline and stating that Commission would begin aggressive effort to collect fees, including 25 percent penalty, beginning August 20, 2004); Public Notice, *Deadline for Filing FY 2004 Regulatory Fees*, DA 04-2549 (Aug. 18, 2004).

As a Commission licensee, First Natchez is charged with the responsibility to familiarize itself with the Commission's rules and requirements. Therefore, First Natchez's lack of familiarity with the Commission's rules and policies governing regulatory fee payments does not mitigate or excuse First Natchez's failure to pay its FY 2004 regulatory fee in a timely manner. The Commission has repeatedly held that "[l]icensees are expected to know and comply with the Commission's rules and regulations and will not be excused for violations thereof, absent clear mitigating circumstances." *Sitka Broadcasting Co., Inc.*, 70 FCC 2d 2375, 2378 (1979), citing *Lowndes County Broadcasting Co.*, 23 FCC 2d 91 (1970) and *Emporium Broadcasting Co.*, 23 FCC 2d 868 (1970). Furthermore, the Communications Act of 1934, as amended, requires the Commission to assess a late charge penalty of 25 percent on any regulatory fee not paid in a timely manner. 47 U.S.C. §159(c).

As the Commission indicated in its annual regulatory fee rulemaking proceeding, the assessment notification postcards that you received are intended to provide licensees with some assistance in paying their regulatory fees. See *Assessment and Collection of Regulatory Fees for Fiscal Year 2004, Notice of Proposed Rulemaking*, 19 FCC Rcd 5795 (2004) (FY 2004 Fee NPRM), ¶¶ 9, 10; *FY 2004 Fee Order*, ¶¶ 36-39. The Commission instituted use of those postcards to provide the licensee some notification that the fee season is approaching, to state the fee amount that the Commission's records indicate that the licensee is expected to pay, to inform the licensee that it should contact the Commission through its website or by telephone if the fee amount or other information provided on the postcard is not consistent with the licensee's own records, and to assist the licensee in filling out its mandatory Form 159. *FY 2004 Fee Order*, ¶¶ 36-39. In adopting the use of the notification postcards, the Commission made clear that if the customer does not file its Form 159 with the Commission in a timely fashion at the proper address, it may be subject to the 25 per cent late payment penalty. *FY 2004 Fee NPRM*, ¶10. Therefore, the misfiling of the notification postcards by your former manager and the subsequent location of them by the new manager is not relevant to your obligation to make timely payment of your FY 2004 regulatory fees.

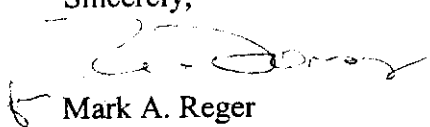
For the reasons discussed above, we deny your request to waive and refund the penalty for late payment of First Natchez Radio Group's FY 2004 regulatory fees.

Margaret C. Perkins, General Manager

3.

If you have any questions concerning this matter, please contact the Revenue and Receivables Operation Group at (202) 418-1995.

Sincerely,



Mark A. Reger  
Chief Financial Officer

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00000 RRO6-05-008

SEP 27 2004

## FIRST NATCHEZ RADIO GROUP

2 letter  
Assign to Regina  
30 day tickler  
mre  
9/27/04

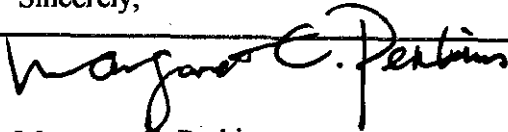
Mr. Andrew S. Fishell  
Managing Director of FCC  
Room 1A821  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Dear Mr. Fishell,

I am writing to you today, regarding our Regulatory Fees for stations WQNZ-FM, WKSO-FM, WNAT-AM and KTGTV-FM. We have paid all fees, including penalties, on line. However, I spoke with Ms. Claudette Pride, on September 13, 2004, who suggested I send you a request in writing.

I had never seen the cards until the day I paid them on line. The reason for this is that our Business Manager, who receives the mail and gives me an accounts payable by which I know which bills to pay, departed our company abruptly, without notice. These cards had apparently been received, filed elsewhere and later found by the new Business Manager. This was an unforeseen circumstance. As soon as I was aware, I called for help at the FCC and a gentleman by the name of Jose helped me through the process of filing on line. I am requesting the penalties be refunded, in light of the situation. Thank you for your consideration.

Sincerely,



Margaret C. Perkins  
General Manager  
First Natchez Radio Group  
P.O. Box 768  
Natchez, MS 39121  
(601) 442-4895

cc: Chief RROG

SEP 27 1 20 PM '04

ASAC, RROG  
FBI, FBI, FBI  
SEP 27 1 20 PM '04

**FIRST NATCHEZ RADIO GROUP***Miner 9/20/04*

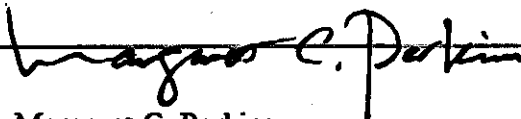
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Margaret C. Perkins  
General Manager  
First Natchez Radio Group  
P.O. Box 768  
Natchez, MS 39121  
(601) 442-4895

cc: Chief RROG



First Natchez Radio Group  
P. O. Box 768  
Natchez, MS 39121

Phone: 601-442-4895  
Fax: 601-446-8260



### Fax Transmittal Form

To Tom Putnam  
Company

From Angela Harper  
Business Manager

Fax Number: 202-418-2843

Phone: 601-442-4895

Ph. Number: 202-418-2992

Fax: 601-446-8260

Urgent ☒

Date sent: 11-10-04

For Review ☐

Time Sent: 2:12 pm

Please Comment ☐

No. of Pages including this cover: 9

Please Reply ☐

Message:

Here is the information you requested.  
Please call w/any questions.

Thanks

Angela Harper

 fcc logo

# **YOUR TRANSACTION HAS BEEN APPROVED AND FORM 159 HAS BEEN SUBMITTED.**

FOR YOUR RECORDS, PLEASE NOTE THE FOLLOWING:

- 
- REMITTANCE ID NUMBER: **584510**
  - AUTHORIZATION NUMBER: **013602**
- 

Print form and retain for your records.

Printed 159 Form

To close this window, use this button below:

Close Window



## Fee Filer

FCC > Fees > Fee Filer

Logged in as: First Natchez Radio Group, Inc. (0004084950) [Log Out]

[Fee Filer Home](#) | [Help](#)

### Report for Submitted Payment

Payer Name (Form 159 Field #2): **First Natchez Radio Group, Inc.**

[PRINT](#)

Payer FRN (Form 159 Field #11): **0004084950**

Remittance ID (Form 159 Field #29a - FCC Code 2): **584510**

Date and Time Created: **09/13/2004 02:21:07**

Licensee : First Natchez Radio Group, Inc. (FRN: 0004084950)					
Call Sign	P T C	Quantity	Amount	FCC Code 1	FCC Code 2
WNAT-AM	0430	1	\$525.00	21605	Natchez, MS
KTGV-FM	0441	1	\$525.00	82888	Jonesville, LA
WKSO-FM	0441	1	\$525.00	29955	Natchez, MS
WQNZ-FM	0449	1	\$2,200.00	21606	Natchez, MS
KTGV-FM	0499	1	\$131.25	82888	Jonesville, LA
WKSO-FM	0499	1	\$131.25	29955	Natchez, MS
WNAT-AM	0499	1	\$131.25	21605	Natchez, MS
WQNZ-FM	0499	1	\$550.00	21606	Natchez, MS
<b>Total:</b>	*****	<b>8</b>	<b>\$4,718.75</b>	*****	*****

	FEE DETAILS	QUANTITY	AMOUNT
<b>GRAND TOTAL:</b>	<b>4</b>	<b>4</b>	<b>\$4,718.75</b>

[REG FEE MANAGER](#)

[HOME](#)

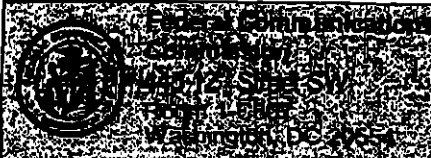
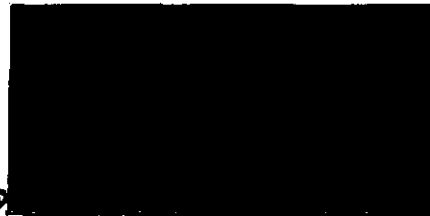
[PRINT](#)



**FCC REGULATORY FEE  
NOTIFICATION FOR**

Facility Id 29955

Call Sign **WNJJ - WK50-FM**  
Licensee **WILL PERK**  
**BROADCASTING**  
City **NATCHEZ, MS**  
Service **FM Station**  
Class **A**  
Population **25,001 to 75,000**  
Postcard Id **127555**  
FRN **0004084950**



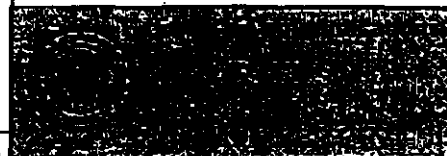
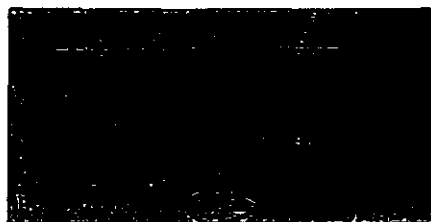
First Class Mail  
U.S. Postage  
Paid  
Newark, NJ  
Permit No: 625

FIRST NATCHEZ RADIO GROUP  
NO 2 O FARRAL LN  
NATCHEZ, MS 39120

**FCC REGULATORY FEE  
NOTIFICATION FOR**

Facility Id : 82888

Call Sign **KTYX - KT6V FM**  
Licensee **FIRST NATCHEZ  
CORPORATION**  
City **JONESVILLE, LA**  
Service **FM Station**  
Class **A**  
Population **up to 25,000**  
Postcard Id **173839**  
FRN **0004084950**



First Class Mail  
U.S. Postage  
Paid  
Newark, NJ  
Permit No: 625

FIRST NATCHEZ RADIO GROUP  
NO 2 O FARRAL LN  
NATCHEZ, MS 39120

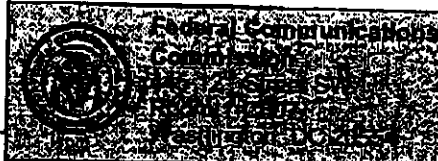


# **FCC REGULATORY FEE NOTIFICATION FOR**

**Facility Id : 21606**

Call Sign **WQNZ**  
 Licensee **FIRST NATCHEZ  
 CORPORATION**  
 City **NATCHEZ, MS**  
 Service **FM Station**  
 Class **C**  
 Population **75,001 to 150,000**  
 Postcard Id **120013**

**FAN:**



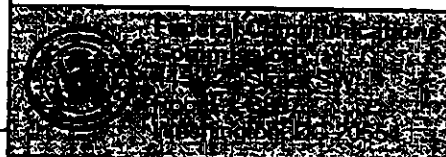
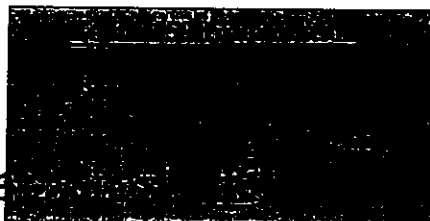
**First Class Mail  
 U.S. Postage  
 Paid  
 Newark, NJ  
 Permit No: 625**

**FIRST NATCHEZ CORPORATION  
 P.O. BOX 768  
 NATCHEZ, MS 39121**

# **FCC REGULATORY FEE NOTIFICATION FOR**

**Facility Id : 21605**

Call Sign **WNAT**  
 Licensee **FIRST NATCHEZ  
 CORPORATION**  
 City **NATCHEZ, MS**  
 Service **AM Station**  
 Class **C**  
 Population **25,001 to 75,000**  
 Postcard Id **120010**  
 FRN **0004084050**



**First Class Mail  
 U.S. Postage  
 Paid  
 Newark, NJ  
 Permit No: 625**

**FIRST NATCHEZ RADIO GROUP  
 NO 2 O FARRAL LN  
 NATCHEZ, MS 39120**